

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

APRIL LIGHTNER,)
Plaintiff,) CASE NO. C13-1526-RAJ
v.)
CAROLYN W. COLVIN, Acting) ORDER AFFIRMING
Commissioner of Social Security,) COMMISSIONER
Defendant.)

The Court has reviewed the entire record, including the Administrative Record, the memoranda of the parties, the Report and Recommendation (R&R) of United States Magistrate Judge Mary Alice Theiler, and plaintiff's objections to the R&R. It is therefore ORDERED:

(1) The Court adopts the R&R with the addition of the following footnote on page 9, line 1 at the conclusion of the sentence ending in “germane”: “In her opening brief, plaintiff concludes that Ms. Fishfader’s opinion was consistent with her notes and the record as a whole, but failed to provide specific argument or analysis on this point. Dkt. # 17 at 7; *see Batson v. Comm’r of Soc. Security Admin.*, 359 F.3d 1190, 1193 (9th 2004) (“If evidence exists to support more than one rational interpretation, [the court] must defer to the Commissioner’s decision.”);

(2) The Court AFFIRMS the decision of the Commissioner; and

01 (3) The Clerk shall direct copies of this Order to all counsel and to Judge Theiler.
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04 DATED this 9th day of July, 2014.
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08 The Honorable Richard A. Jones
09 United States District Judge
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